

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALESHAHE LEMON,

Plaintiff,

Case No. 19-cv-11343
Hon. Matthew F. Leitman

v.

THE CITY OF DETROIT, *et al.*,

Defendants.

/

ORDER TO SUPPLEMENT SUMMARY JUDGMENT
RECORD BY JANUARY 22, 2021

Now pending before the Court is Defendants' Motion for Summary Judgment. In Plaintiff's filings in connection with the motion, Plaintiff appears to refer to a laboratory report or written test result that indicated that his seminal fluid was not found in Ms. Briggs' vagina nor on her clothing. (*See, e.g.,* Resp, ECF No. 33, PageID.783; Supp. Br., ECF No. 40, Page.ID 1189.) But the report is not in the record. Nor does the record indicate when the report was prepared and then received by Defendant Willhelm. The Court concludes that it would substantially benefit from reviewing the report and learning the date on which it was prepared and then received by Defendant Willhelm. Accordingly, the Court **DIRECTS** Plaintiff's counsel to e-file a copy of the report on the docket and to include in the filing any

evidence indicating the date on which the report was prepared and then received by Defendant Willhelm.

In a supplemental brief, Defendants attach a report from the Michigan State Police, and Defendants appear to suggest that this report is the report referenced by Plaintiff indicating a lack of seminal fluid. (*See* Supp. Br., ECF No. 43-1.) The Court has reviewed the one-page report submitted by Defendants, and it does not appear to reference a lack of seminal fluid. The Court **DIRECTS** Defendants to file a supplemental statement explaining the basis of their claim that the report attached as ECF No. 43-1 is the report referenced by Plaintiff as indicating a lack of seminal fluid.

Both parties shall make these filings by 5:00 p.m. on **Friday, January 22, 2021.**

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: January 19, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 19, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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